

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

KEVIN G. SMITH,

Plaintiff,

vs.

RICK EBERHARDT, Pierce County  
Sheriff; JASON DWINELL, Wayne  
County Sheriff; and ET AL,

Defendants.

**8:21CV283**

**MEMORANDUM  
AND ORDER**

On November 30, 2021, the court ordered Plaintiff to file an amended complaint within 30 days. (Filing 8.) The court warned Plaintiff that “[f]ailure to file an amended complaint within the time specified by the court will result in the court dismissing this case without further notice to Plaintiff.” (Filing 8 at CM/ECF p. 12.) To date, Plaintiff has not filed an amended complaint as ordered.

IT IS THEREFORE ORDERED:

1. This case is dismissed without prejudice for failure to prosecute this matter diligently and for failure to comply with this court’s orders; and
2. Judgment shall be entered by separate document.

DATED this 11th day of February, 2022.

BY THE COURT:



Richard G. Kopf  
Senior United States District Judge